

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: Eight Thousand Seventy-Seven
Dollars (\$8,077.00) in U.S.
Currency;

Misc. No. 17-50964
Hon. Arthur J. Tarnow

Century Arms TAS47 7.62mm Rifle,
S/N RAS47093186; One 7.62mm
Black Magazine; 30 Rounds of
7.62 Ammunition; Smith & Wesson
SD40 VE .40 cal Pistol, S/N FXR7067; One
.40 cal Magazine; and 13 Rounds of .40 cal
Ammunition;

Fifty-Seven Thousand Dollars
(\$57,000.00) in U.S. Currency; and

Assorted Jewelry, VL: \$117,500.00,

Defendants in Rem.

**EX PARTE APPLICATION TO UNSEAL
THE THIRTEENTH EX PARTE ORDER EXTENDING
THE TIME TO FILE A FORFEITURE COMPLAINT (ECF NO. 419)**

Between July 19, 2019 and September 15, 2021, the Court entered a series of ex parte orders, upon good cause shown in ex parte motions filed by the United States under seal in Miscellaneous Case number 17-mc-50964, extending the United States' time to file a Complaint for Forfeiture. The last order, dated

September 15, 2021, extended the time by which the United States had to file a judicial forfeiture action against the aforementioned property to, and including, December 15, 2021. (ECF No. 419). The Court further ordered that the government's *ex parte* motion, and the Court's order, shall be under seal and *in camera*, and shall not be disclosed to any person unless otherwise ordered by the Court. (ECF No. 419, PageID.3911).

The United States filed its Complaint for Forfeiture on December 14, 2021 (*United States v. \$8,077.00 in U.S. Currency, et al.*, Case No. 21-cv-12912, Mark A. Goldsmith presiding). On or about October 18, 2021, prior to the United States filing its timely Complaint, Tony Maurice Williams, a potential claimant in the civil forfeiture action, initiated a civil case in the Eastern District of Michigan against the United States, the City of Warren Police Department, and others, (*Tony Maurice Williams v. United States of America, et al.*, Case No. 21-cv-12454, Honorable Mark A. Goldsmith presiding). In his Amended Complaint, (ECF No. 2), Williams alleges the United States failed to initiate a timely civil forfeiture action against the seized property or bring a criminal indictment against Williams that included forfeiture allegations. (ECF No. 2). The government's Complaint for Forfeiture was timely, because it was filed on December 14, 2021, a day before the December 15, 2021 deadline. The United States intends to file an Answer to the Amended Complaint that will include the disclosure of the most recent *ex parte*

order extending the government's deadline to December 15, 2021, but at present the government cannot refer to its existence in a public filing because the ex parte order remains under seal. Because the United States has filed its Complaint for Forfeiture and intends to serve it on all interested parties, there is no longer any need for the government's ex parte applications and the Court's ex parte orders extending the government's filing deadlines to remain under seal.

Therefore, the United States hereby applies to this Court for an Order to unseal the Thirteenth Ex Parte Order to Extend the Time to File a Complaint for Forfeiture (ECF No. 419).

Respectfully submitted,

DAWN N. ISON
United States Attorney

s/ MICHAEL EL-ZEIN
MICHAEL EL-ZEIN (P79182)
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
(313) 226-9770
michael.el-zein@usdoj.gov

Dated: December 27, 2021